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Agenda item 112

REVIEW OF THE EFFICIENCY OF THE ADMINISTRATIVE AND FINANCIAL FUNCTIONING OF THE UNITED NATIONS

Report of the Fifth Committee (Part II)

Rapporteur: Mr. Ihor V. HUMENNY (Ukraine)

I. INTRODUCTION

1. The previous recommendations made by the Fifth Committee to the General Assembly under agenda item 112 appear in the reports of the Committee contained in documents A/51/751, A/51/752 and A/51/922.

2. The Fifth Committee resumed its consideration of the item at its 72nd meeting, on 8 September 1997. Statements and observations made in the course of the Committee's consideration of the item are reflected in the relevant summary records (A/C.5/51/SR.72).

3. For its consideration of the item, the Committee had before it the following documents relating to the question of management in the United Nations:

(a) Report of the Secretary-General on jurisdictional and procedural mechanisms for the proper management of the resources and funds of the United Nations (A/49/98 and Corr.1 and Add.1 and 2);

(b) Report of the Ad Hoc Intergovernmental Working Group of Experts established pursuant to General Assembly resolution 48/218 A on jurisdictional and procedural mechanisms for the proper management of the resources and funds of the United Nations (A/49/418).

II. CONSIDERATION OF A DRAFT DECISION PROPOSED BY THE VICE-CHAIRMAN

4. At the 72nd meeting, on 8 September, the Vice-Chairman of the Committee orally introduced a draft decision entitled "Management in the United Nations".

5. At the same meeting, the Committee adopted the draft decision (see para. 6).

III. RECOMMENDATION OF THE FIFTH COMMITTEE

6. The Fifth Committee recommends to the General Assembly the adoption of the following draft decision:

Management in the United Nations

The General Assembly:

(a) Takes note of the report of the Secretary-General on jurisdictional and procedural mechanisms for the proper management of the resources and funds of the United Nations[1] and the report of the Ad Hoc Intergovernmental Working Group of Experts established pursuant to General Assembly resolution 48/218 A on jurisdictional and procedural mechanisms for the proper management of the resources and funds of the United Nations;[2]

(b) Requests the Secretary-General to submit to the General Assembly at its fifty-third session a report on the evaluation of the new performance appraisal system and on the follow-up of management irregularities causing financial losses to the Organization, as indicated by the Office of Internal Oversight Services.

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[1] A/49/98 and Corr.1 and Add. 1 and 2.

[2] A/49/418.

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Agenda item 112

REVIEW OF THE EFFICIENCY OF THE ADMINISTRATIVE AND FINANCIAL FUNCTIONING OF THE UNITED NATIONS

Report of the Fifth Committee (Part III)

Rapporteur: Mr. Ihor V. HUMENNY (Ukraine)

I. INTRODUCTION

1. The previous recommendations made by the Fifth Committee to the General Assembly under agenda item 112 appear in the reports of the Committee contained in documents A/51/751 and A/51/752 and A/51/922 and Add.1.

2. The Fifth Committee resumed its consideration of the item at its 73rd and 74th meetings, on 10 and 12 September 1997. Statements and observations made in the course of the Committee's consideration of the item are reflected in the relevant summary records (A/C.5/51/SR.73 and 74).

3. For its consideration of the item, the Committee had before it the following documents:

Strengthening of the external oversight mechanisms

(a) Report of the Secretary-General (A/49/633);

(b) Note by the Secretary-General transmitting the comments of the Board of Auditors on the term of office of members of the Board of Auditors (A/49/368 and Corr.1);

(c) Note by the Secretary-General transmitting the views of the Board of Auditors on improvement of oversight functions within the United Nations (A/49/471 and Corr.1);

(d) Note by the Secretary-General transmitting updated and additional views of the Joint Inspection Unit on the strengthening of the external oversight mechanisms (A/51/674);

Gratis personnel provided by Governments and other entities

(e) Report of the Secretary-General on gratis personnel provided by Governments and other entities (A/51/688 and Corr.1 and Add.1-3);

(f) Report of the Advisory Committee on Administrative and Budgetary Questions on gratis personnel provided by Governments and other entities (A/51/813).

II. CONSIDERATION OF PROPOSALS

A. Draft resolutions A/C.5/51/L.83 and L.90

4. At the 73rd meeting, on 10 September, the representative of the United Republic of Tanzania, on behalf of the States Members of the United Nations that are members of the Group of 77 and China, introduced a draft resolution entitled "Gratis personnel provided by Governments and other entities" (A/C.5/51/L.83), which read as follows:

"The General Assembly,

"Taking note of the reports of the Secretary-General on gratis personnel,[1] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[2]

"Reaffirming Articles 97, 100 and 101 of the Charter of the United Nations,

"Expressing its concern at the disregard of the Financial Regulations and Rules of the United Nations and the irregular expenditure being incurred by the Secretariat on a number of gratis personnel,

"Also expressing its concern at the need to use the services of gratis personnel which primarily is a corollary to the incessant financial crisis,

"Expressing serious concern at the geographical imbalance in some parts of the Secretariat, in particular in the Department of Peacekeeping Operations, because of the presence of gratis personnel,

"Noting with concern the adverse effects of gratis personnel on the morale and character of the international civil service,

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[1] A/51/688 and Corr.1 and Add.1-3.

[2] A/51/813.

"Recognizing that the use of gratis personnel should be on an exceptional and temporary basis and for specialized functions only,

"1. Recognizes that the use of gratis personnel should not be the result of poor personnel planning and emphasizes that gratis personnel are not a substitute for staff to be recruited against authorized posts for the implementation of mandated programmes and activities;

"2. Reaffirms that the programme of work and mandates approved by Member States must be financed in the manner determined by the General Assembly;

"3. Requests the Secretary-General not to incur any expenditure from the regular budget on gratis personnel in disregard of financial regulation 7.2 and without approval of the General Assembly;

"4. Decides that gratis personnel should not be sought for positions kept vacant solely for financial reasons;

"5. Requests the Secretary-General once again to prepare the relevant budgets on a full-cost basis, fully reflecting all positions;

"6. Decides that gratis personnel should only be accepted in very rare occasions and for a limited time, as described in paragraphs 13 and 14 of the report of the Advisory Committee on Administrative and Budgetary Questions;[2]

"7. Also decides that in case the Assembly approves the use of gratis personnel in the manner enumerated in paragraph 6 above, the requirement of gratis personnel should be circulated among all Member States in order to ensure transparency of the process;

"8. Further decides that the use of gratis personnel should be subject to Articles 100 and 101 of the Charter of the United Nations;

"9. Requests the Secretary-General to phase out expeditiously those gratis personnel that fall outside the scope of paragraph 6 above and to report on the matter to the Assembly at its fifty-second session;

"10. Invites Member States to make voluntary contributions to enable the Secretary-General to correct the geographical imbalance in the use of gratis personnel;

"11. Requests the Secretary-General to report annually on the use of gratis personnel, indicating, inter alia, their nationality and summarizing the duration of their service and the functions performed;

"12. Requests the Secretary-General to redraft the guidelines for the use of gratis personnel, taking into account, inter alia, the principles of accountability and geographical distribution and the provisions of the present resolution, and to submit them, through the Advisory Committee on Administrative and Budgetary Questions, to the Assembly, at its fifty-second session, for approval;

"13. Decides to consider the matter at its fifty-second session."

5. At the 74th meeting, on 12 September, the representative of Mexico introduced and orally revised a draft resolution entitled "Gratis personnel provided by Governments and other entities" (A/C.5/51/L.90), submitted by the Chairman on the basis of informal consultations.

6. Statements were made by the representatives of the Russian Federation, the United States of America, Costa Rica, Cuba, Pakistan and Egypt, as well as by the Controller, who responded to questions posed (A/C.5/51/SR.74).

7. At the same meeting, the Committee adopted draft resolution A/C.5/51/L.90 without a vote (see para. 13).

8. In view of the adoption of draft resolution A/C.5/51/L.90, draft resolution A/C.5/51/L.83 was withdrawn by its sponsors.

9. Statements in explanation of position were made by the representatives of Belgium (on behalf of the European Union), Japan, the United States of America and Pakistan (see A/C.5/51/SR.74).

B. Draft decision proposed by the Vice-Chairman

10. At the 74th meeting, on 12 September, the Vice-Chairman of the Committee made a statement and orally introduced a draft decision entitled "Strengthening of external oversight mechanisms".

11. A statement was made by the representative of Cuba (see A/C.5/51/SR.74).

12. At the same meeting, the Committee adopted the oral draft decision without a vote (see para. 14).

III. RECOMMENDATIONS OF THE FIFTH COMMITTEE

13. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

Gratis personnel provided by Governments and other entities

The General Assembly,

Taking note of the reports of the Secretary-General on gratis personnel[3] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[4]

Expressing serious concern at the impact on the geographical balance in some parts of the Secretariat of the presence of gratis personnel, in particular in the Department of Peacekeeping Operations,

Recognizing that the use of gratis personnel, other than those performing supplementary activities, should be on an exceptional and temporary basis and for specialized functions only,

1. Emphasizes that gratis personnel are not a substitute for staff to be recruited against authorized posts for the implementation of mandated programmes and activities;

2. Reaffirms that the programme of work and mandates approved by Member States must be financed in the manner determined by the General Assembly, based upon proposals of the Secretary-General;

3. Decides that gratis personnel should not be sought for financial reasons;

4. Decides also that the Secretary-General can accept type II gratis personnel[5] only in the following circumstances:

(a) After the approval of a budget, to provide expertise not available within the Organization for very specialized functions, as identified by the Secretary-General, and for a limited and specified period of time;

(b) To provide temporary and urgent assistance in the case of new and/or expanded mandates of the Organization, pending a decision by the General Assembly on the level of resources required to implement those mandates;

5. Decides further, in this regard, that the relevant budget resolutions and procedures relating to unforeseen and extraordinary expenditures, peacekeeping operations and tribunals will govern the acceptance of the gratis personnel referred to in paragraph 4 of the present resolution;

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[3] A/51/688 and Corr.1 and Add.1-3.

[4] A/51/813.

[5] See A/51/688 and Corr.1, paras. 24-40.

6. Requests the Secretary-General to report on a quarterly basis to the General Assembly, through the Advisory Committee on Administrative and Budgetary Questions, on the acceptance of the gratis personnel referred to in paragraph 4, for appropriate action, with a view to ensuring compliance with the provisions of the present resolution;

7. Emphasizes that the relevant General Assembly resolutions and financial regulations and rules should be fully respected when accepting gratis personnel in accordance with the provisions of the present resolution;

8. Emphasizes also that it is necessary that fully substantiated and comprehensive proposals on the total requirements from all sources of funding be presented so as to enable the General Assembly to decide on the level of resources required to implement fully all mandated programmes and activities, and requests the Secretary-General to present all future budgets and budget outlines in that manner, in accordance with Assembly resolution 41/213 of 19 December 1986;

9. Requests the Secretary-General to phase out expeditiously type II gratis personnel who fall outside the scope of paragraph 4 of the present resolution and to report thereon to the General Assembly at its fifty-second session;

10. Also requests the Secretary-General to report to it at its fifty-second session, through the Advisory Committee on Administrative and Budgetary Questions, for appropriate action, on the methodology to be applied to and the level of administrative support costs and, in the interim, to maintain the status quo in this regard;

11. Further requests the Secretary-General to revise the draft guidelines set out in his reports on gratis personnel in accordance with the provisions of the present resolution and taking into account the following principles, and to submit them to the General Assembly, through the Advisory Committee on Administrative and Budgetary Questions, for its approval at its fifty-second session:

(a) Gratis personnel should be subject to the criteria laid down in Article 100 and paragraphs 1 and 3 of Article 101 of the Charter of the United Nations;

(b) In the performance of their duties, gratis personnel should have the same obligations and responsibilities as staff members;

(c) Gratis personnel should carry out their functions in accordance with all applicable regulations, rules and procedures of the Organization;

(d) The selection process for gratis personnel should be transparent and conducted on as wide a geographical basis as possible, and, if there is a need for gratis personnel as provided for in the present resolution, all Member States should be informed;

12. Requests the Secretary-General to report annually on the use of gratis personnel, indicating, inter alia, their nationality and summarizing the duration of their service and the functions performed;

13. Also requests the Secretary-General, in the context of the consideration by the General Assembly of the question of gratis personnel provided by Governments and other entities to report on the impact of the implementation of paragraphs 4 (b) and 9 of the present resolution and to submit proposals in this regard to the Assembly at its fifty-second session, through the Advisory Committee on Administrative and Budgetary Questions, for appropriate action;

14. Decides to consider the question at its fifty-second session.

14. The Fifth Committee also recommends to the General Assembly the adoption of the following draft decision:

Strengthening of the external oversight mechanisms

The General Assembly decides to resume consideration of the question of the strengthening of the external oversight mechanisms at the earliest possible stage of its fifty-second session.